

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(1) Kenneth Evans C-30681  
(Name of Plaintiff)(Inmate Number)

N-2-89-Up, San Quentin State Prison  
San Quentin, California. 94964

(2) \_\_\_\_\_  
(Name of Plaintiff)(Inmate Number)

\_\_\_\_\_  
(Address)

(Each named party must be numbered,  
and all names must be printed or typed).  
(Each named party must be numbered,  
and all names must be printed or typed)

vs.

CIVIL COMPLAINT

(1) Lifetime Liberty Group  
(2) Leah White, Sr., Managing Executive  
(3) Kathy McGrath, Representative  
(4) Cheryl Daniels, Representative  
(Name of Defendants)

(Each named party must be numbered,  
and all names must be printed or typed)

TO BE FILED UNDER: X 42 U.S.C. § 1983-STATES OFFICIALS  
\_\_\_\_\_ 28 U.S.C. § 1331-FEDERAL OFFICIAL

I. PREVIOUS LAWSUITE

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

Kenneth Evans, V. Lon Allen Moskowitz, Et., al case No. CV-07-7090-DDP (SS) from 2007 -to- July 21st, 2012, The Magistrate Judge was Susann H. Segal ; Trial Judge Dean D. Pergerson which was a out of court settlement. And Kenneth Evans v. Edmond G. Brown, Jr., case Number 16-cv-07318-YGR (PR) Hon. Yvonne Gonzalez Rogers.

3:18cv 1561

(Case Number)

FILED  
SCRANTON

AUG 07 2018

PER \_\_\_\_\_  
DEPUTY CLERK

## II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? X Yes    No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? X Yes    No
- C. If your answer to "B" is Yes:
1. What steps did you take? Numerous request form(s), which the U.S. Postal Service returned to Plaintiff stating no such address.
  2. What was the result? No answer from these Defendant(s) for 19 months no explanation, some mail returned and some not returned.
- D. If your answer to "B" is No, explain why not: This is NOT a Prison issue, this matter is with Lifetime Liberty Group, Inc., it's been 19

## III. DEFENDANTS

- (1) Name of first defendant: Lifetime Liberty Group, Inc./Leah White  
Employed as Managing Executive at Lifetime Liberty Group Inc.  
Mailing address: 122 Lakeshore Drive, Ste. 692, Lake Harmony, PA 18624-0692.
- (2) Name of second defendant: Kathy McGrath/Phone-570-580-8861  
Employed as Representative at Lifetime Liberty Group, Inc.  
Mailing address: 122 Lakeshore Drive, Ste. 692 Lake Harmony, PA 18624-092.
- (3) Name of third defendant: Cheryl Daniels-Phone-570-580-8861  
Employed as Representative at Lifetime Liberty Group Inc.  
Mailing address: 122 Lakeshore Drive, Ste. 692, Lake Harmony, PA 18624-0692.

(List any additional defendants, their employment, and address on extra sheets if necessary)

## IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. Defendant (1), Lifetime Liberty Group Inc., and Leah White, the Sr., Managing Executive, has violated the agreed contract, it's been 19 months and NO answer or response to plaintiff's mail and not informing the plaintiff as to WHY this non-profit Organization that has not allowed their Client the Plaintiff to access HIS account to withdraw his money in the amount of ("\$4,189.89¢") there is no legal excuse this matter should be allowed to be process & reviewed by this federal court.

2. Defendant(2), Kathy McGrath, a representative for Lifetime Liberty Group, Inc., Ms. McGrath failed to notify her client of Lifetime Liberty Group's banking problem(s) Her actions appear to be "Theft" by way of U.S. Mail Service, an false advertising, there is NO doubt the contract and/or agreement between Plaintiff and Lifetime Liberty Group Inc.
3. Defendant(3), Cheryl Daniel, also a representative at Lifetime Liberty Group, Inc., Ms. Daniel's mislead Plaintiff as to obtaine the client's trust based on their purpose to defraud incarcerated inmates of his/hr ("money") by using the United States Postal Service. Upon request/or order by this U.S. District Court Middle District of Pennsylvania want to review the contracts between Plaintiff & Defendants just order an and it will be.

V. RELIEF

(State briefly exatly what you want the court to do for you. Make no lgal arguments. Cite no cases or statutes.)

1. lifetime liberty Group, inc., and it's staff members to return the Plaintiff's money to him the amount of \$4,189.89¢ and for their breach of contract/agreement by not honoring said srvicees as agreed to by both parties Defendants' & Plaintiff himself, that Dfendants are to payplaintiff the amount of \$959.24¢ for not notifiying nor responding to plaintiff for 32 months, for a total of ("5,149.13¢ thats fair.
2. This Court should grant Plaintiff's request based on the breach of contract by Deefendants' that has not performed their legal oblegations as stated in the Defendant's ("brochures") which are mailed out to all penal Institution(s) all a cross the United States of America to Federal & State Prson(s), and now gave no rasons nor warning their incarcerated clients, just stop their monthly comunications and not allowing their clients access to their accounts.
3. Plaintiff request, Court to order lifetime liberty Group, Inc., to pay plaintiff the amount of \$5,149.13¢ for breach contract/agreement denying plaintiff access to his account in lifetime liberty Group inc.

I declare under penalty of perjury thae the foregoing is true and correct.

Signed this 25<sup>th</sup> DAY OF July, 2018



(Signed(Signatur of plaintiff))

**DECLARATION OF SERVICE BY MAIL  
BY PERSON IN STATE CUSTODY**  
(C.C.P. §§ 1013(A), 2015.5)

I, Kenneth Evans, the undersigned, declare:

I am over the age of 18 years, and IS a party to this matter. I am a resident of SAN QUENTIN STATE PRISON, in the County of Marin, State of California. My Prison address is:

Kenneth Evans,  
CDCR#: C-30681, CELL#: N-2-8f-4P  
SAN QUENTIN STATE PRISON  
SAN QUENTIN, CA 94974

On, July 25<sup>th</sup> 2018, I served the attached:

Civil Complaint

on the parties, at the addresses listed below, by placing true and correct copies thereof, enclosed in a sealed envelope (verified by prison staff) with postage fully prepaid, in a deposit box provided by San Quentin State Prison, for mailing in the United States Mail as per the regulations governing out-going Legal Mail.

Office of the Clerk, United States District Court  
Middle District of Pennsylvania, William J. Nealon  
Federal BLDG. & U.S. Courthouse, 235 North Washington  
Avenue, P.O. Box 1148, Scranton, PA 18501-1148

I declare under the penalty of perjury, under the laws of the State of California, that all the foregoing is true and correct.

Executed on July 25<sup>th</sup> 2018, at San Quentin, State California.

Kenneth Evans  
Declarant

(4)

Your Honor, Plaintiff has included his latest medical update on his hipatitis C., Plaintiff's liver disease, please rview page #10 that is highlighted at Number One that states: Chronic hepatitis C virus genotype 1a, stage I on liver biopsy in 2012.

Your Honor, also please refer to page #11., which states: Fibroscan result is F2 (on scale of 0 to 4). Will review at next visit. Your Honor, thats up according to the last test which was 2.16 less than 3.25, and now it's up by 0.75.

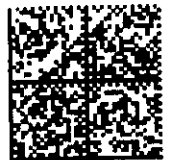
Respectfully Submitted By,

Kenneth Evans  
KENNETH EVANS

I'm sorry to say I misplaced the document that request the 6 month Printout of My Prison account so please send my that documen I had to peace this one together.

Kenneth Evans, C-30681  
N-2-89-UP  
San Quentin state Prison  
San Quentin Ca. 94964

SAN FRANCISCO  
CA 940  
11 JUL '18  
PM 31



U.S. POST  
ZIP 949  
02 1W  
000139

Kenneth Evans, C-30681  
N-2-89-up  
San Quentin State Prison  
San Quentin, Ca. 94964

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Legal  
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DEPUTY CLERK

To, Office of The Clerk  
United States District Court  
Middle District of Pennsylvania  
William J. Nealon Federal BLDG.  
U.S. Courthouse 235 N. Washington,